

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LANDSCAPE CONSULTANTS OF
TEXAS, INC., and METROPOLITAN
LANDSCAPE MANAGEMENT,
INC.,

Plaintiffs,

v.

CITY OF HOUSTON, TEXAS, and
MIDTOWN MANAGEMENT
DISTRICT,

Defendants.

Civil Action No. 4:23-cv-03516

**DEFENANT CITY OF HOUSTON'S
MOTION FOR LEAVE TO EXCEED PAGE LIMITS**

Defendant City of Houston (“the City”) moves for leave to exceed the page limits with regards to its concurrently filed brief in support of its Motion for Summary Judgment. Specifically, the City asks the Court for permission to file a summary judgment brief in excess of the page limit contained in the Procedures for this Court, which limit all briefs to 20 pages with 14-point font. The City seeks leave of Court to exceed the 20-page limit for its summary judgment brief and requests an additional 15 pages, which includes the summary of the argument required by the Court’s Procedures.

In this case, Plaintiffs bring a constitutional challenge to the City’s program

for promoting minority-owned business participation in City contracting. The City's program is subject to strict judicial scrutiny, making it necessary for the City to discuss statistical evidence contained in a lengthy study, as well as to cover thoroughly each of the factors pertinent to the narrow tailoring analysis. The City believes that the additional legal briefing will aid the Court's review of the constitutionality of the program.

PRAYER FOR RELIEF

The City respectfully asks the Court to grant its motion for leave to exceed the page limitation for the City's brief in support of its motion for summary judgment.

By: /s/ Ben Stephens
Ben Stephens
State Bar No. 24098472
SDTX Bar No. 2898153
ben.stephens@huschblackwell.com
Sandy Hellums-Gomez
State Bar No. 24036750
SDTX Bar No. 561314
sandy.gomez@huschblackwell.com
Jarrett Dillard
State Bar No. 24099801
SDTX Bar No. 2980302
jarett.dillard@huschblackwell.com

HUSCH BLACKWELL LLP
600 Travis St., Suite 2350
Houston, Texas 77002
Telephone: (713) 647-6800
Facsimile: (713) 647-6884

/s/ Darah Eckert
Darah Eckert
Senior Assistant City Attorney
State Bar No. 24007141
SDTX Bar No. 1890045
darah.eckert@houstontx.gov
Lori J. Yount
Senior Assistant City Attorney
State Bar No. 2209496
SDTX Bar No. 24084592
lori.yount@houstontx.gov

ARTURO G. MICHEL
CITY ATTORNEY
SUZANNE R. CHAUVIN
CHIEF, GENERAL LITIGATION SECTION
CITY OF HOUSTON LEGAL DEPARTMENT
P.O. Box 368

Houston, Texas 77001-368
900 Bagby, 4th Floor
Houston, Texas 77002
Telephone: (832) 393-6219
Facsimile: (832) 393-6259

**ATTORNEYS FOR THE CITY OF
HOUSTON**

CERTIFICATE OF CONFERENCE

Due to the Saturday deadline for the motion for summary judgment, as well as the Thanksgiving holiday weekend, counsel for the City has not had an opportunity to confer meaningfully with counsel for Plaintiffs or Midtown Management District. The City will do so at the earliest opportunity and will thereafter supplement this certificate of conference.

/s/ Ben Stephens
Ben Stephens

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following on November 30, 2024, via the CM/ECF Filing system.

/s/ Ben Stephens
Ben Stephens